

**UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

IN RE: NATIONAL FOOTBALL LEAGUE  
PLAYERS' CONCUSSION INJURY  
LITIGATION

No. 2:12-md-02323-AB

MDL No. 2323

**Hon. Anita B. Brody**

Kevin Turner and Shawn Wooden, *on behalf  
of themselves and others similarly situated,*

Plaintiffs,

v.

National Football League and NFL  
Properties LLC, successor-in-interest to NFL  
Properties, Inc.,

Defendants.

Civ. Action No. 14-00029-AB

THIS DOCUMENT RELATES TO:  
ALL ACTIONS

**JOINDER OF THE LAW OFFICE OF HAKIMI & SHAHRIARI  
IN MOTION OF THE LOCKS LAW FIRM  
FOR APPOINTMENT OF ADMINISTRATIVE COUNSEL**

Comes Now, Attorney Peter Shahriari and The Law Office of Hakimi & Shahriari ("H&S"), hereby join Class Counsel Locks Law Firm's March 20, 2018 (ECF. 9786) Motion for Appointment of Administrative Counsel and a hearing to seek Court intervention regarding the processing of claims.

The settlement is broken. It is time to ask why.

The settlement administration is not working because of the NFL Parties' undue influence. Rather than meet its obligation to compensate the Retired NFL Players it allegedly victimized, the NFL Parties are turning the Settlement on its head by accusing doctors and their own retirees of fraud. They continue to try to hide the dangers of the game and the inconvenient truth of *so many brain damaged players*.

Any fix to the Settlement must acknowledge the reason a fix is necessary: The NFL Parties influence. It is vital that the Court address the root of the problem so that it does not persist.

The Settlement is off track. The NFL Parties have been able to evade their obligations to compensate Retired NFL Players. They were able to avoid discovery during the litigation, and now are continuing their campaign to hide the truth about the dangers of the game by calling their former players and their doctors deceptive and fraudulent, while saving billions they owe to Retired NFL Players. The NFL Parties' influence has pervaded the structure of the Settlement and how this entire process is being characterized. It is time to examine why we are where we are. This Joinder is filed on behalf of the approximately two hundred and fifty (250) clients of this firm, who are Retired NFL Players, family of Retired NFL Players and members of the Class certified in this matter. While journalists are increasingly alerting the public to the fatal problems with the implementation of the claims process, as counsel for approximately two hundred fifty (250) Settlement Class Members, we can verify growing frustrations from doctors, scientists, other law firms, and suffering Class Members and their families regarding the fundamental failures of the claims administration process which threaten the entire Settlement. For reasons now known and yet unknown, the claims process is bogged down with delays and riddled with policy inconsistencies. Even the most basic terms (i.e. the concept of "generally consistent", or the role

of audits) of the Settlement Agreement are being implemented in ways that defy imagination, to the detriment of the Class Members.

Adding to the problems are newly created amendments to the plain meaning of the Settlement Agreement which are being subtly introduced without being agreed to. These amendments are material and were not originally part of the Settlement approved by the Court, and upheld on appeal, *over strenuous objections* by some parties. These amendments are harmful to the Class, numerous and totally reverse the bargained for promises of the Settlement, proving fatal to the system.

People are losing confidence in the ability of the Settlement to deliver. H&S files this joinder in hopes of establishing confidence. The Locks Law Firm's representation of more than eleven hundred (1,100) Settlement Class Members coupled with their long-time involvement in the Settlement puts them in a good position to help ensure proper administration of the Settlement. There are many reasons appointment of the Locks Law Firm as Administrative Counsel is vital to the survival of the Settlement. Some of these reasons are obvious:

- a. The NFL Parties' have an ongoing financial incentive to manipulate the system to their own benefit. The Locks Law Firm has a sizable financial incentive to ensure that the terms of the Settlement Agreement do not simply benefit the NFL Parties or other parties;
- b. Because of the large number of clients they represent, the Locks Law Firm has demonstrated an intimate understanding of the nuances of the problems with the claims process. These problems are hard to detect, absent experience representing clients in the process and require hands on experience with the Settlement;

- c. The Locks Law Firm, has identified problems which have yet to be addressed, let alone resolved; and
- d. The Locks Law Firm has filed their pending motion to be appointed Administrative Counsel, demonstrating a will to insist on transparency and the proper implementation of the Settlement.

The issues raised in this Joinder and the other recent motions are not the problems. They are the symptoms of the greater problem: lack of transparency and a vacuum of advocacy for the retired players. It is not too late. It is in the interest of all involved to ensure a fair settlement implementation so that the Settlement can have a long life and can help those it promised to help – the retirees who are patiently suffering. Otherwise, we are concerned that the growing lack of confidence will spell an end to the Settlement in its current form.

WHEREFORE, H&S respectfully requests that this Honorable Court appoint The Locks Law Firm as Administrative Counsel and hold a hearing regarding the administrative issues which have brought the Settlement to the brink of a collapse.

Respectfully submitted,

s//Peter Shahriari//  
**Peter Shahriari, Esq.**  
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Attorney for Individual Class Members

**CERTIFICATE OF SERVICE**

I hereby certify that the above has been filed with the Clerk of Court's EF / ECM system, which will provide service to all parties designated to receive service this March 28, 2018.

s//Peter Shahriari//  
Peter Shahriari, Esq.